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EXAMINER

HECK, MICHAEL C

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/042,731

Applicant(s)

BULLOCK ET AL.

Examiner

Michael C. Heck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 24 Nov 2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The following is a First Office Action in response to the application filed 21 December 2000. Claims 1-28 are pending in this application and have been examined on the merits as discussed below.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 102, 106, 107, 110, 802, figures 11 and [12].

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "331" has been used to designate both "Security" and "Time and Expense", and reference character "332" has been used to designate both "Payment and Billings" and "Reporting".

4. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

#### **Content of Specification**

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive; preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.  
  
Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.
- (e) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject

matter of the claimed invention. This item may also be titled "Technical Field."

- (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (f) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (g) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (h) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication, which adequately describes the subject matter.
- (i) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation.

There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

- (j) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application, which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (k) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

5. The disclosure is objected to because of the following informalities:

- The specification did not have a complete listing of the drawings in the "Brief Description of the Drawings".
- Not all of the figures presented in the application were discussed in the specification, namely figure 11 and [12]. The figures on page 9 of the drawing package were listed as Figure 11 and 8, however Figure 8 was previously used to describe the quantitative assessment process of the invention versus the applicant profile.
- Of the Figures mentioned in the "Brief Description of the Drawings", Figure 2 is described as "an electronic commerce environment in which the present invention is implemented" and does not match the description of the Figure in the "detailed description of the preferred embodiments" section of the specification (page 7, line 31) as being the "basic business process".

- Page 8, line 8, delete "Process 210", and insert -- Process **201** --.
- Page 8, lines 9-10, delete "processes 311 (shown in Fig. 3) for enable a hiring manager", and insert -- processes 311 (shown in Fig. 3) for **enabling** a hiring manager --.
- Page 15, line 31, delete, "profiles 404 and 408", and insert -- profiles 404 and **406** --.
- Page 15, line 26, incomplete sentence or excess space between lines.
- Page 18, line 19, delete, "receipt of message 502", insert -- receipt of message **511** --.
- Page 22, lines 11-12, delete, "Location component 803", and insert -- Location component **802** --. Please refer to the drawing objection above regarding reference characters not mentioned in the description. When this objection is fixed, reference character 803 then is not mentioned in the description.

The above citation is a mere guide. Applicant is requested to review the specification thoroughly to eliminate the additional errors. Appropriate correction is required.

### ***Claim Objections***

6. Claim 4 objected to because of the following informalities: on line 6, delete, "message both users", and insert -- message **from** both users --.
7. Claim 20, line 7, delete "profile,.", and insert -- profile. --.



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8. Claim 22, lines 16-17 and 26-27, delete "second stored profile", and insert -- **first** stored profile --. As written the claim does not make sense since the user associated with the second stored profile would be interesting in pursuing a relationship with himself.

9. Claim 23, line 5, delete "hiring agent", and insert -- hiring agent; --.

The examiner has interpreted the claims as indicated above. Appropriate correction is required.

10. Claims 16 and 17 indicate dependence to claim 13, however the hiring agent independent claim is 15. For examination purposes, the examiner interpreted the claims to be dependent upon claim 15.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 1-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nadkarni (U.S. Patent 6,266,659) in view of Joao (U.S. Patent 6,662,194). Nadkarni discloses a system and method for matching human resources to human resource needs comprising:



- **[Claim 23]** generating a plurality of needs profiles, wherein each needs profile comprises attributes about a need associated with a particular hiring agent (col.5, lines 41-49, Nadkarni teaches the employer formulates a query based on the requirements of the position opening. The formulation of the query search engine is done by responding to prompts and/or pull-down menus from the system that correspond to the standardization, segmentation and organization of the relevant skills.);
- storing the needs profiles as a data record (col. 5, lines 14-22, Nadkarni teaches the memory contains a program of instructional needs for the system to provide candidates, vendors, and/or employers with "on-line" access to populate and search a resume relational database. The program may be stored in any computer readable medium.);
- generating a plurality of capability profiles, wherein each capability profile attributes of a job applicant (col. 6, lines 15-49, Nadkarni teaches the candidate or vendor accesses the system via a telecommunicative link to enter or update one or more skill profiles or resumes. The vendor enters the experience profile in response to system lists within a template. Additionally, the vendor can enter skills or experiences not presented by the system. The candidate populates a field with information if appropriate while the employer selects whether the field is important and should be searched.);
- storing the capabilities profiles as a data record (col. 5, lines 14-22, Nadkarni teaches the memory contains a program of instructional needs for the system to provide candidates, vendors, and/or employers with "on-line" access to populate and search a resume relational database. The program may be stored in any computer readable medium.); and
- matching the needs profiles and capability profiles to identify matched profiles, wherein a match comprises a set of profiles judged to be substantially compatible based upon correspondence of the attributes specified therein (col. 9, lines 39-58, Nadkarni teaches an employer may therefore specify a profession and a combination of subcategories within that profession for a candidate. Using relational database techniques and

pattern matching algorithms, the combination can be searched logically within the system's database.).

Nadkarni fails to teach the process is performed repetitively and automatically. Joao teaches providing job searching services, recruitment services and/or recruitment-related services, which can be programmed to be self-activating and/or be activated automatically. The operation may be triggered by any type of pre-specified event and/or occurrence, which may include a new individual listing, a new employer and/or hiring entity listing (col. 5, line 65 to col. 6, line 9, col.9, lines 11-15). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include the automatic features of Joao with Nadkarni since Nadkarni teaches a query generation mechanism that enables a users to input and/or search for data with precision in a central hub for use by those seeking employment and those seeking to hire (col. 2, lines 11-41). Hiring new employees can be very costly and time consuming since most human resource organizations manually execute the search and hiring process. Joao teaches the reduction of recruiting effort, cost, and fees and the elimination of inefficiencies in the job search and recruitment effort (col. 41, lines 34-40); and Nadkarni teaches the ease of access for both the candidate and the employer since they can go on-line results in comfort and convenience, but also efficiency (col. 3, lines 41-57). Therefore, automating the feature of the process can save time and money and allows the human resource people to be better utilized.

- **[Claim 24]** notifying first and second users associated with a matched profile in identifying a matched profile (Joao: col. 8, lines 5-15, Joao teaches providing job searching services, recruitment services, and/or

- recruitment-related services, which facilitates providing notification to an employer and/or hiring entity, and to an individual when a recruitment-related opportunity arises.).
- **[Claim 25]** the act of notifying comprising presenting a selected subset of attributes from the matched profile to users associated with the matched profile (col. 9, lines 39-58, Nadkarni teaches an employer may therefore specify a profession and a combination of subcategories within that profession for a candidate. Using relational database techniques and pattern matching algorithms, the combination can be searched logically within the system's database. Joao: col. 14, lines 28-45 and col. 17. lines 57-67, Joao teaches the database contains data and/or information pertaining to the individuals, employees, independent contractors, freelancers, and/or other persons or entities, who or which utilizes the system to find or secure a job, project, or assignment. The data and/or information which is stored in the database, or the collection of databases, can be linked via relational database techniques, to the respective employer computers and/or individual computers and/or via any appropriate database management technique.).
  - **[Claim 26]** responding to the notification with an indication of further interest in the identified match (Joao: col. 23, lines 14-25, Joao teaches the central processing computer will process the employer's response and determine if the employer is interested in pursuing discussions with the individual); and
  - generating a detailed notification message to the users associated with the matched profiles in response to receiving response messages from both users associated with a particular matched profile (Joao: col. 23, lines 35-52, Joao teaches if it is determined that the employer is interested in pursuing discussion with the individual, then the central processing computer will notify the individual by transmitting a message to the individual, and/or individual computer associated with the individual, so notifying the individual. The individual can review the data and/or information and transmit a response to the central processing computer.).
  - **[Claim 27]** the act of generating a capability profile comprises including attributes within the capability profile that describe the associated user's desire to apply particular skills in a future employment (Nadkarni: col. 9, lines 17-23, Nadkarni teaches the employer may elect to include candidates who may have assessed themselves to have superior

knowledge in the skills specified. Joao: col. 5, lines 12-16, Joao teaches individuals, job applicants, prospective employees, independent contractors, temporary workers, and/or freelances, etc., can also post and/or list data and/or information regarding themselves.).

**Claims 1-4, 7 and 28** substantially recites the same limitations as that of claims 23-27 with the distinction of the recited method being a system and a single bearing medium embodying a program of machine-readable instructions. Hence the same rejection for claims 23-27 as applied above applies to claims 1-4, 7 and 28.

- **[Claim 5]** the each need profile specifies attributes that describe a human resources need and each capability profile comprises attributes that describe skills of a job candidate (Nadkarni: col. 2, lines 27-41, and col.5, lines 41-49, Nadkarni teaches the system comprises a relational database of fields pertaining to employment criteria such as, for example, experience, skills, education, availability, and salary information. A candidate accessing the system responds to prompts to create an experience or skill profile and a resume. Prospective employers accessing the system respond to prompts to create a query that is used to define and perform a search of the database. The employer formulates a query based on the requirements of the position opening. The formulation of the query search engine is done by responding to prompts and/or pull-down menus from the system that correspond to the standardization, segmentation and organization of the relevant skills.).
- **[Claim 6]** the job candidate attributes include attributes describing the associated candidate's qualifications (Nadkarni: col. 2, lines 27-41, Nadkarni teaches a candidate accessing the system responds to prompts to create an experience or skill profile and a resume.
- **[Claim 8]** the needs profile data record is persistent (Nadkarni: col. 9, lines 24-38, Nadkarni teaches the system has means for saving a query once configured.).

- **[Claim 9]** the capability profile data record is persistent (Nadkarni: col. 6, lines 50-67, Nadkarni teaches the vendor enters details regarding work one of its candidates is seeking and the candidate enters other information normally present in a resume that would be of interest to a prospective employer. Once the vendor/candidate is satisfied, he or she can save the resume.).
- **[Claim 10]** each need profile is associated with an entity and is generated by the associated entity without knowledge of any capability profile (Nadkarni: col. 2, lines 27-41, and col.5, lines 41-64, Nadkarni teaches the system comprises a relational database of fields pertaining to employment criteria such as, for example, experience, skills, education, availability, and salary information. A candidate accessing the system responds to prompts to create an experience or skill profile and a resume. Prospective employers accessing the system respond to prompts to create a query that is used to define and perform a search of the database. The employer formulates a query based on the requirements of the position opening. The formulation of the query search engine is done by responding to prompts and/or pull-down menus from the system that correspond to the standardization, segmentation and organization of the relevant skills. A search is performed by a search engine once the inquiry has been formulated. The examiner interprets the prospective employer does not know who the potential candidates are when performing the search.).
- **[Claim 11]** each capability profile is associated with an entity and is generated by the associated entity without knowledge of any need profile (Nadkarni: col. 6, lines 50-67, Nadkarni teaches the vendor enters details regarding work one of its candidates is seeking and the candidate enters other information normally present in a resume that would be of interest to a prospective employer. Once the vendor/candidate is satisfied, he or she can save the resume. After the vendor/candidate has entered the information and agreed to the terms and conditions of using the system, the information is up-loaded to the system, reviewed, and becomes part of the relational database and thus accessible to potential employers. The examiner interprets the candidate enters information without knowledge of any needs.).

- **[Claim 12]** a user interface for gathering information from a job applicant (Nadkarni: col. 4, lines 40-67, and col. 5, lines 14-22, Nadkarni teaches the CPU has a database and communications interface that uses a telecommunicative link to operatively connect to user interfaces in the user domain. The memory contains a program to provide candidates, vendors, and/or employers with “on-line” access to populate and search a resume relational database.);
- a data record generated from the gathered information, the data record comprising a plurality of attributes describing skills of an associated job applicant (Nadkarni: col. 6, lines 50-67, Nadkarni teaches the vendor enters details regarding work one of its candidates is seeking and the candidate enters other information normally present in a resume that would be of interest to a prospective employer. Once the vendor/candidate is satisfied, he or she can save the resume.),
- the data record being formatted for use in and continuously accessible by an external matching engine (Nadkarni: col. 6, lines 38-49, Nadkarni teaches the vendor enters the experience profile in response to systems lists within a template. The data fields available to the vendor for population are similar in standardization, segmentation and organization to that of fields provided to the employer to formulate the search.); and
- a network interface configured to communicate the data record to the external matching engine (Nadkarni: col. 4, lines 40-67, and col. 5, lines 14-22, Nadkarni teaches the CPU has a database and communications interface that uses a telecommunicative link to operatively connect to user interfaces in the user domain. The memory contains a program to provide candidates, vendors, and/or employers with “on-line” access to populate and search a resume relational database.).
- **[Claim 13]** the data record is formatted to enable the external matching engine to readily detect matches between the described skills and required skills of a hiring agent data record accessible by the matching engine (Nadkarni: col. 2, lines 42-52, Nadkarni teaches standardization,



segmentation, and organization of the candidates skill profile and resume. Standardization is achieved through the use of system prompts directed to both the candidates when populating the database and the employers when formulating a search query.).

- **[Claim 14]** the data record further comprises attributes describing the associated job applicants desire to utilize specified skills in future job assignments (Nadkarni: col. 9, lines 17-23, Nadkarni teaches the employer may elect to include candidates who may have assessed themselves to have superior knowledge in the skills specified. Joao: col. 5, lines 12-16, Joao teaches individuals, job applicants, prospective employees, independent contractors, temporary workers, and/or freelances, etc., can also post and/or list data and/or information regarding themselves.).
- **[Claim 15]** a user interface for gathering information from a human hiring agent (Nadkarni: col. 4, lines 40-67, and col. 5, lines 14-22, Nadkarni teaches the CPU has a database and communications interface that uses a telecommunicative link to operatively connect to user interfaces in the user domain. The memory contains a program to provide candidates, vendors, and/or employers with "on-line" access to populate and search a resume relational database.);
- a data record generated from the gathered information, the data record comprising a plurality of attributes describing skills required by an associated job (Nadkarni: col. 2, lines 27-41, and col.5, lines 41-64, and col. 9, lines 24-38, Nadkarni teaches the system comprises a relational database of fields pertaining to employment criteria such as, for example, experience, skills, education, availability, and salary information. A candidate accessing the system responds to prompts to create an experience or skill profile and a resume. Prospective employers accessing the system respond to prompts to create a query that is used to define and perform a search of the database. The employer formulates a query based on the requirements of the position opening. The formulation of the query search engine is done by responding to prompts and/or pull-down menus from the system that correspond to the standardization, segmentation and organization of the relevant skills. A search is performed by a search



engine once the inquiry has been formulated. The system has means for saving a query once configured.),

- the data record being formatted for use in and continuously accessible by an external matching engine (Nadkarni: col. 6, lines 38-49, Nadkarni teaches the vendor enters the experience profile in response to systems lists within a template. The data fields available to the vendor for population are similar in standardization, segmentation and organization to that of fields provided to the employer to formulate the search.); and
- a network interface configured to communicate the data record to the external matching engine (Nadkarni: col. 4, lines 40-67, and col. 5, lines 14-22, Nadkarni teaches the CPU has a database and communications interface that uses a telecommunicative link to operatively connect to user interfaces in the user domain. The memory contains a program to provide candidates, vendors, and/or employers with "on-line" access to populate and search a resume relational database.).
- **[Claim 16]** the data record is formatted to enable the external matching engine to readily detect matches between the required skills and described skills of a job applicant agent data record accessible by the matching engine (Nadkarni: col. 2, lines 42-52, Nadkarni teaches standardization, segmentation, and organization of the candidates skill profile and resume. Standardization is achieved through the use of system prompts directed to both the candidates when populating the database and the employers when formulating a search query.).
- **[Claim 17]** a template data record, the template data record comprising predefined attributes describing the skills required by the associated job, wherein the user interface is populated with information from the template data record before gathering information from the human hiring agent (Nadkarni: col. 6, lines 38-49, Nadkarni teaches the vendor enters the experience profile in response to systems lists within a template. The data fields available to the vendor for population are similar in standardization, segmentation and organization to that of fields provided to the employer to formulate the search.).

- **[Claim 18]** a database storing a plurality of hiring agents and a plurality of job applicant agents (Joao: col. 14, lines 28-45, Joao teaches the central processing computer also includes a database(s), which contains data and/or information pertaining to the individuals, employees, independent contractors, freelancers, and/or other persons or entities who or which utilize the system in order to find or secure a job, project or assignment.)h;
- a mechanism for continuously comparing profiles in the database to identify matches between hiring agents and job applicant agents (Nadkarni: col. 5, lines 50-64, Nadkarni teaches the employer may request the system to perform automatic searches periodically (i.e., once a day) and alert the employer when new qualified candidates are found. Joao: col. 9, lines 10-15 and 33-40, Joao teaches providing job searching services, recruitment services and/or recruitment-related services, which can be programmed to be self-activating and/or be activated automatically, and which provides automatic notification of, and/or announcements of, job openings, position openings, projects, and/or assignments, the availability of job applicants and/or the availability of goods and/or service providers, to respective parties.).
- **[Claim 19]** a notification mechanism responsive to identification of a match for notifying users associated with agents associated with a match (Joao: col. 8, lines 5-15, Joao teaches providing job searching services, recruitment services, and/or recruitment-related services, which facilitates providing notification to an employer and/or hiring entity, and to an individual when a recruitment-related opportunity arises.).
- **[Claim 20]** an interface receiving job applicant agent profiles (Nadkarni: col. 4, lines 40-67, and col. 5, lines 14-22, Nadkarni teaches the CPU has a database and communications interface that uses a telecommunicative link to operatively connect to user interfaces in the user domain. The memory contains a program to provide candidates, vendors, and/or employers with "on-line" access to populate and search a resume relational database.);

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- an interface receiving hiring agent profiles (Nadkarni: col. 4, lines 40-67, and col. 5, lines 14-22, Nadkarni teaches the CPU has a database and communications interface that uses a telecommunicative link to operatively connect to user interfaces in the user domain. The memory contains a program to provide candidates, vendors, and/or employers with "on-line" access to populate and search a resume relational database.);
- wherein the mechanism for continuously comparing profiles is invoked in response to receiving a new profile (Nadkarni: col. 5, lines 50-64, Nadkarni teaches the employer may request the system to perform automatic searches periodically (i.e., once a day) and alert the employer when new qualified candidates are found. Joao: col. 9, lines 10-15 and 33-40, Joao teaches providing job searching services, recruitment services and/or recruitment-related services, which can be programmed to be self-activating and/or be activated automatically, and which provides automatic notification of, and/or announcements of, job openings, position openings, projects, and/or assignments, the availability of job applicants and/or the availability of goods and/or service providers, to respective parties.);
- **[Claim 21]** providing a plurality of profiles, each profile associated with a user and each profile comprising a set of attributes describing the associated user (col.5, lines 41-49, Nadkarni teaches the employer formulates a query based on the requirements of the position opening. The formulation of the query search engine is done by responding to prompts and/or pull-down menus from the system that correspond to the standardization, segmentation and organization of the relevant skills.);
- at least one restricted information section within a profile such that the profile can be accessed while the restricted information remains protected (Joao: col. 14, line 61 to col. 15, line 10, Joao teaches that in order to preserve confidentiality and/or so as to maintain an anonymous identity, each of the type of information can be described in a generic manner. Each and every field of data and/or information can be represented by a corresponding generic term or terms so as to keep the true information masked for a desired time period or during a certain period of processing.);

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- automatically matching profiles based on correspondence of attributes specified in the profiles, including attributes within the restricted section (Nadkarni: col. 5, lines 50-64, and col. 9, lines 39-58, Nadkarni teaches an employer may therefore specify a profession and a combination of subcategories within that profession for a candidate. Using relational database techniques and pattern matching algorithms, the combination can be searched logically within the system's database. The employer may request the system to perform automatic searches periodically (i.e., once a day) and alert the employer when new qualified candidates are found. Joao: col. 9, lines 10-15 and 33-40, Joao teaches providing job searching services, recruitment services and/or recruitment-related services, which can be programmed to be self-activating and/or be activated automatically, and which provides automatic notification of, and/or announcements of, job openings, position openings, projects, and/or assignments, the availability of job applicants and/or the availability of goods and/or service providers, to respective parties.);
- presenting automatically matched profiles to users associated with the profile in a manner that prevents exposing the restricted information section (Nadkarni: col. 9, lines 39-58, Nadkarni teaches an employer may therefore specify a profession and a combination of subcategories within that profession for a candidate. Using relational database techniques and pattern matching algorithms, the combination can be searched logically within the system's database. Joao: col. 14, line 61 to col. 15, line 10, Joao teaches that in order to preserve confidentiality and/or so as to maintain an anonymous identity, each of the type of information can be described in a generic manner. Each and every field of data and/or information can be represented by a corresponding generic term or terms so as to keep the true information masked for a desired time period or during a certain period of processing.);
- enabling each user that is presented with a matched profile to indicate further interest (Joao: col. 23, lines 35-52, Joao teaches if it is determined that the employer is interested in pursuing discussion with the individual, then the central processing computer will notify the individual by transmitting a message to the individual, and/or individual computer associated with the

- individual, so notifying the individual. The individual can review the data and/or information and transmit a response to the central processing computer. The central processing computer will process the individual's response and determine if the individual is interesting in pursuing discussions with the employer.); and
- responsive to receiving indication of further interest from all users associated with a matched profile, presenting detailed information including the restricted information section (Joao: col. 14, line 61 to col. 15, line 10, and col. 23, lines 35-52, Joao teaches that in order to preserve confidentiality and/or so as to maintain an anonymous identity, each of the type of information can be described in a generic manner. Each and every field of data and/or information can be represented by a corresponding generic term or terms so as to keep the true information masked for a desired time period or during a certain period of processing. Any of the data and/or information may have hyperlinks associated therewith for directing a party to a separate and/or a different data and/or information source. The information source may be external from the central processing computer. If it is determined that the employer is interested in pursuing discussion with the individual, then the central processing computer will notify the individual by transmitting a message to the individual, and/or individual computer associated with the individual, so notifying the individual. The individual can review the data and/or information and transmit a response to the central processing computer. The central processing computer will process the individual's response and determine if the individual is interesting in pursuing discussions with the employer. The examiner interprets the references to strongly suggest that at any time during the process of responding the true information can be revealed.);
  - **[Claim 22]** an unmatched state (Nadkarni: col. 2, lines 11-16, Nadkarni teaches providing employers, vendors and employment candidates with "on-line" access to a skills/resume management system. Structured as a relational database, it enables a user to input and/or search for data with precision in a central hub for use by those seeking employment and those seeking to hire.);



- an automatched state reached from the unmatched state upon detection of a substantial correspondence between a first stored profile and a second stored profile (Nadkarni: col. 5, lines 50-64, and col. 9, lines 39-58, Nadkarni teaches an employer may therefore specify a profession and a combination of subcategories within that profession for a candidate. Using relational database techniques and pattern matching algorithms, the combination can be searched logically within the system's database. The employer may request the system to perform automatic searches periodically (i.e., once a day) and alert the employer when new qualified candidates are found. Joao: col. 9, lines 10-15 and 33-40, Joao teaches providing job searching services, recruitment services and/or recruitment-related services, which can be programmed to be self-activating and/or be activated automatically, and which provides automatic notification of, and/or announcements of, job openings, position openings, projects, and/or assignments, the availability of job applicants and/or the availability of goods and/or service providers, to respective parties.);
- a first interested state reached from the automatched state upon indication that a user associated with the first stored profile is interested in pursuing a relationship with a user associated with the second stored profile (Joao: col. 23, lines 35-52, Joao teaches if it is determined that the employer is interested in pursuing discussion with the individual, then the central processing computer will notify the individual by transmitting a message to the individual, and/or individual computer associated with the individual, so notifying the individual. The individual can review the data and/or information and transmit a response to the central processing computer. The central processing computer will process the individual's response and determine if the individual is interesting in pursuing discussions with the employer.);
- a second interested state reached from the automatched state upon indication that a user associated with the second stored profile is interested in pursuing a relationship with a user associated with the [first] stored profile (Joao: col. 23, lines 35-52, Joao teaches if it is determined that the employer is interested in pursuing discussion with the individual, then the central processing computer will notify the individual by transmitting a message to the individual, and/or individual computer associated with the

individual, so notifying the individual. The individual can review the data and/or information and transmit a response to the central processing computer. The central processing computer will process the individual's response and determine if the individual is interesting in pursuing discussions with the employer.);

- a not interested state reached from the automatched state upon indication that either the user associated with the first stored profile or the user associated with the second stored profile is not interested in pursuing a relationship with the other user (Joao: col. 22, lines 54-67, Joao teaches the central processing computer will determine whether the individual wants to apply for any of the reported jobs. If it is determined that the individual does not want to apply for any of the reported jobs, the central processing computer will record and/or store any and/or all data and/or information regarding and/or pertinent to the search and/or corresponding results, up to this point, including the actions of the individual.); and
- an evaluating state reached from the first interested state upon indication that a user associated with the second stored profile is interested in pursuing a relationship with a user associated with the [first] stored profile or upon indication that a user associated with the first stored profile is interested in pursuing a relationship with a user associated with the second stored profile (Joao: col. 24, lines 22-49, Joao teaches that if it is determined that the employer is interesting in pursuing the opportunity with the individual, the central processing computer will put the employer and the individual in contact with each other by transmitting contact information to either or both of the employer and/or the individual. The central processing computer can monitor the interview, employment screening, and/or recruitment processes, which takes place between the employer and the individual. The examiner interprets an evaluation state is reached when both users are in contact with each other and an interview takes place.)



***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- McGovern et al. (U.S. Patent 5,978,768) discloses a computerized job search system and method for posting and searching job openings via a computer network.
- Puram et al. (U.S. Patent 6,289,340) discloses a consultant matching system and method for selecting candidates from a candidate pool by adjusting skill values.
- Kurzius et al. (U.S. Patent 6,385,620) discloses a system and method for the management of candidate recruiting information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Heck whose telephone number is (703) 305-8215. The examiner can normally be reached Monday thru Friday between the hours of 8:00am - 4:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (703) 305-9643. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

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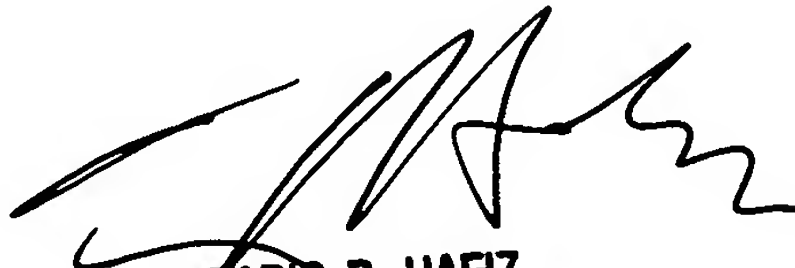
Or faxed to:

**(703) 872-9306** [Official communications; including After Final communications labeled "**Box AF**"]

**(703) 746-9419** [Informal/Draft communication, labeled "**PROPOSED**" or "**DRAFT**"]

Hand delivered responses should be brought to 220 South 20<sup>th</sup> Street, Crystal Plaza Two, Lobby, Room 1B03, Arlington, Virginia 22202.

mch  
23 September 2004

  
**TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
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